

Document: Notice of Intent to Adopt a Rule, **Register Page Number:** 24 IR 2725

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**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #01-176

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 2-3-1.1 to specify the method for calculating the Medicaid eligibility penalty for transferring income. Specifies that when the right to a stream of income is transferred for less than fair market value, the penalty is calculated based on the projected total income expected to be transferred during the individual's lifetime. Specifies that a transfer of income includes, but is not limited to: (1) transferring income-producing real property; and (2) accepting less than the fair market rental value when property is rented. Repeals 405 IAC 2-3-1 and makes conforming amendments to 405 IAC 2-3-1.1. Statutory authority: IC 12-8-1-9; IC 12-8-6-5; IC 12-13-7-3; IC 12-15-1-10.